

REMARKS

This amendment is filed in response to the Office Action of May 28, 2008 in which claims 1-20 were rejected.

Regarding the claim objections in Sections 3 and 4 on pages 2 and 3 of the Detailed Action, the objection made in Section 3.a., the original amendment presented by electronic filing on January 22, 2008 in fact had a comma between the word "instruction" and the word "said" in line 9 of claim 1. Because of the underlining it is hard to distinguish a comma and a period but it is in fact a comma. Therefore, the above amendment to claim 1 retains the comma and shows it as originally presented. With regard to Section 3.b., the applicant has replaced "A device" in claims 2-12 with --The device-- for consistency.

Regarding Section 4, it is believed that the Examiner intended to say claims 2 and 5, not claims 3 and 5 for being of improper dependent form for failing to further limit the subject matter of a previous claim. Therefore, claims 2 and 5 have been amended to overcome this objection. Claims 3 and 4 have been similarly amended for consistency. Withdrawal of the claim objections is requested.

Regarding the indefiniteness rejection of claims 3-5 and 16, antecedent basis for "said instructions" in line 5 has been provided in line 2 by amendment. Claim 4 has been amended to obviate the pronoun problem. As for claims 3 and 5, they have been amended to clarify the issue raised by the Examiner. Withdrawal of the indefiniteness rejection is requested.

Regarding the statutory subject matter rejection, claim 1 has been amended to make it clear that the device comprises a memory having a calendar application stored thereon and a control unit configured to perform certain acts relating to the calendar application. Therefore, the hardware requirement indicated by the Examiner has been added to the claim.

In Section 10, claims 15-16 and 19-20 are rejected on the same ground because the claimed invention lacks utility. Claim 15 has been amended to make it clear that the program component is stored on the computer readable medium and for execution by a computer to perform the recited acts of browsing, receiving, searching, etc. Claim

16 has been amended in a similar fashion. Withdrawal of the non-statutory subject matter rejection is requested.

Regarding the obviousness rejection, the applicant has further clarified by amendment the claimed feature that was added last time, i.e. allocating memory block usage according to the selection of the overlapping events, wherein it is made clear that the control unit is configured to remove the overlapping event to a predetermined memory area allocated from the memory block and to save the overlapping event in the memory block for a predetermined period. Such is not disclosed in any of the cited references, and consequently the claimed invention could not be derived from any combination thereof. Claims 1, 13, 15 and 16 have been amended in a similar way.

The applicant's description discloses this allocation of memory block usage for the claimed purpose as described below.

The first whole paragraph on page 9 of the application (see paragraph [0023] on page 3 of the published application US 2005/0177404) explains how an overlapping event can be removed to some predetermined memory area, which can be allocated from an existing memory block or be a separate memory unit. In other words, there is a specifically defined memory area, allocated from an existing memory block or even a separate memory, for storing those events that were *removed* because they lost the "overlapping conflict" due to their lowest priority. The rest of the paragraph discusses various alternatives of managing the events that have been tossed into such a "storage drawer" memory area.

The same principle is repeated on page 12, second paragraph: "Typically overlapping events that user chooses to remove from his calendar are stored to some determined place," corresponding to paragraph [0029] of US 2005/0177404.

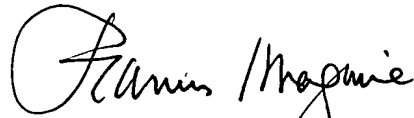
The Examiner cites paragraph 57 of *Nishizawa* to show anticipation for the applicant's claimed feature. The Examiner is mistaken, because paragraph 57 of *Nishizawa* does not disclose anything about removing an overlapping event or saving it in a predetermined memory area for a predetermined period. Paragraph 56 in *Nishizawa* compares two different events, of which one is of term type (i.e. takes place at a particular moment of time only, like 5/16 10:00) and the other is of period type (i.e. reserves a time range, like 5/16 8:30-11:45). *Nishizawa* considers an overlapping situation, so that the term type time (10:00) is in the middle of the period type time

range (8:30). He merely suggests that the term type event is re-scheduled either before the period type event (i.e. at 8:30) or after it (i.e. at 11:45) depending on whether its priority is higher or lower respectively than that of the period type event.

Therefore, the Office has not established a *prima facie* case of obviousness and withdrawal of the rejection of claims 1-20 on that ground is requested.

The objections and rejections of the Office Action of May 28, 2008, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-20 to issue, as amended, is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire". The signature is written in a cursive, flowing style with a large initial "F".

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